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NEW YORK WHEEL OWNER LLC, et al., :  
:  
Plaintiffs, :  
:  
-v- : 17-CV-4026 (JMF)  
:  
MAMMOET HOLDING B.V., et al., :  
:  
Defendants. :  
:  
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The third-party complaint was dismissed by the Court’s Order of May 11, 2018, *see* ECF No. 188, and it was not reinstated by the Court’s Order of August 27, 2019, *see* ECF No. 211. Were there any doubt, it would be resolved by the fact that Mammoet-Starneth LLC is no longer a Defendant in this action. Thus, it could not assert the third-party claims with respect to which Mammoet USA North, Inc. (“MUSA”) seeks to substitute itself. *See* Fed. R. Civ. P. 14(a)(1). Accordingly, MUSA’s motion to substitute is DENIED.

The Clerk of Court is directed to terminate ECF No. 234.

  
JESSE M. FURMAN  
United States District Judge